

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

CHRISTOPHER DESHAZO

Plaintiff,

v.

BOWIE COUNTY, ET AL.

Defendant.

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CIVIL ACTION NO. 5:22-CV-114-RWS-JBB

**ORDER**

Before the Court is the amended complaint of Plaintiff Christopher Deshazo, proceeding *pro se*, complaining of the alleged deprivations of his constitutional rights. Docket No. 12. The case was referred to United States Magistrate Judge Boone Baxter in accordance with 28 U.S.C. § 636. After reviewing Plaintiff's original complaint, the Magistrate Judge ordered Plaintiff to file an amended complaint "setting out a short and plain statement of his claims." Docket No. 8. Upon review of Plaintiff's amended complaint (Docket No. 12), the Magistrate Judge issued a Report recommending dismissal of the lawsuit without prejudice for failure to state a claim upon which relief may be granted. Docket No. 42.

A copy of the Report was sent to Plaintiff at his last known address, the Cole Unit of TDCJ-CID, but it was returned with the notation that Plaintiff had been released on January 29, 2024. Docket No. 46. To date, Plaintiff has not advised the Court of his current mailing address. The complaint form which Plaintiff signed contains a declaration saying "I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit." Docket No. 12 at 2.

Accordingly, Plaintiff has failed to prosecute his lawsuit by not advising the Court of his current mailing address.

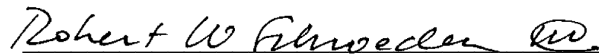
Because no objections have been received, Plaintiff is barred from *de novo* review by the District Judge of the Magistrate Judge's proposed findings, conclusions and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *See Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017); *Arriaga v. Laxminarayan*, Case No. 4:21-CV-00203-RAS, 2021 WL 3287683, at \*1 (E.D. Tex. July 31, 2021).

The Court has reviewed the pleadings in this case and the Report of the Magistrate Judge. Upon such review, the Court has determined the Report of the Magistrate Judge is correct. *See Martin v. Driskell*, No. 6:19-CV-311-JDK-KNM, 2023 WL 5827586, at \*1 (E.D. Tex. Sept. 7, 2023) (citing *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989)) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law"). Accordingly, it is

**ORDERED** that the Report of the Magistrate Judge is **ADOPTED** as the opinion of the District Court. It is further

**ORDERED** that the above-styled civil action is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim upon which relief may be granted.

**So ORDERED and SIGNED this 15th day of April, 2024.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE